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Attorney for Debtor Lisa M. Jones

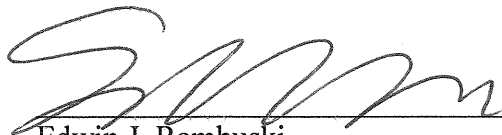
UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
NORTHERN DIVISION

In re:)	Case No.: 9:19-bk-10693-DS
LISA MONIQUE JONES,)	Chapter 7
Debtor.)	
)	MOTION TO COMPEL ABANDONMENT
)	OF REAL PROPERTY COMMONLY
)	KNOWN AS 774 OXEN STREET, PASO
)	ROBLES, CALIFORNIA
)	NO HEARING SET

TO: JERRY NAMBA, CHAPTER 7 TRUSTEE AND ALL PARTIES IN INTEREST:

Pursuant to 11 U.S.C. Section 554(b), Debtor Lisa M. Jones, hereby moves the above-entitled court for an order compelling Jerry Namba, Chapter 7 Trustee herein to abandon the bankruptcy estate's interest in the Debtor's residential property located at 774 Oxen Street, Paso Robles, California, (legal description is attached hereto), because the property is of inconsequential value and benefit to the Debtor's bankruptcy estate.

Dated: April 23, 2019


Edwin J. Rambuski
Attorney for Debtor Lisa M. Jones

MEMORANDUM OF POINTS AND AUTHORITIES

The Debtor brings this motion pursuant to 11 U.S.C. Section 554(b) which allows the court to order the Trustee to abandon any property that is of inconsequential value and benefit to the estate. Federal Rule of Bankruptcy Procedure, Rule 6007 permits a party in interest to file and serve a motion requiring the Trustee to abandon property of the estate.

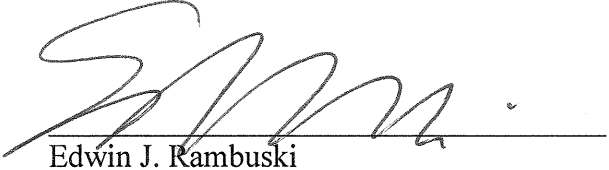
The Debtor scheduled the real property on her Schedule A with a fair market value of \$525,000. Debtor's Schedule D reflects that the real property is subject to a first trust deed in the amount of \$310,336.09 and a second trust deed in the amount of \$43,443.14. The secured debt against the subject real property amounts to at least \$353,779.23. The Debtor exempted a total of \$171,220.77 under California Code of Civil Procedure Section 704.730(a)(3)(C), the homestead exemption. No party in interest has objected to the Debtor's claim of exemption.

The Debtor consulted with a real estate broker, Victoria Relva, regarding listing the property for sale. Victoria suggested a listing price of \$545,800.

Pursuant to California Code of Civil Procedure Section 704.730(a)(3)(C), the Debtor is entitled to a homestead exemption in the amount of \$175,000. In the event of a sale at \$545,800, the suggested listing price, there would be no benefit to Debtor's estate:

Suggest Listing Price	\$545,800.00
Costs of Sale	\$ 42,000.00
First Trust Deed	\$326,528.24
Second Trust Deed	\$ 43,217.28
Debtor's homestead	<u>\$175,000.00</u>
Total	-\$40,945.52

Dated: April 23, 2019


Edwin J. Rambuski
Attorney for Debtor Lisa M. Jones

DECLARATION OF LISA M. JONES

I, Lisa M. Jones, declare:

1. I am the Debtor in the above-referenced case.

2. I have personal knowledge of the matters contained in this declaration, and if called to testify as to the matters contained herein, I could and would testify competently thereto.

3. I filed this Chapter 7 Bankruptcy proceeding on April 15, 2019.

4. Prior to filing my Chapter 7 Bankruptcy, I consulted with a real estate broker, Victoria Relva, of MGR Private Capital & Real Estate Group, regarding the value of my residence.

5. Ms. Relva thought the fair market value of my real property at 774 Oxen Street, Paso Robles, CA 93446 was between \$525,000 and \$545,800 and suggested that I attempt to sell my residence prior to the scheduled foreclosure sale with a suggested listing price of approximately \$545,800.

6. On my Schedule A, I listed the subject property with a value of \$525,000.

7. The subject real property is encumbered by a first trust deed in the amount of \$310,336.09 and a second trust deed in the amount of \$43,443.14. The secured debt against the subject real property amounts to at least \$353,779.23.

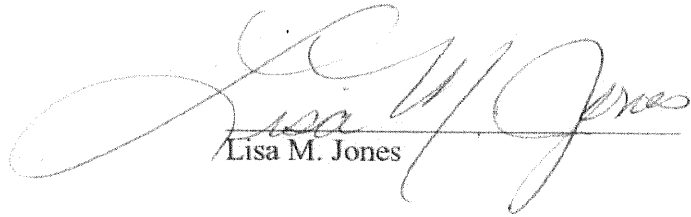
8. I am entitled to a homestead exemption of \$175,000 under California Code of Civil Procedure Section 704.730(a)(3)(C). No party in interest has objected to my claim of exemption.

9. Therefore, after the payment of all the secured loans, the homestead exemption, and the costs of sale, even at the full asking price of \$545,800, there would be no equity in this real property on any sale by the Bankruptcy Trustee.

10. A true and correct copy of the legal description of my real property is attached hereto as Exhibit 1 and incorporated herein by reference.

1 I declare under penalty of perjury under the laws of the United States of America that
2 the foregoing is true and correct and that this declaration was executed on April 22 2019, at
3 Paso Robles, California.

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Lisa M. Jones

EXHIBIT 1

LOT 107 OF TRACT 1771-4, IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS
OBISPO, STATE OF CALIFORNIA, ACCORDING TO MAP RECORDED DECEMBER 22,
2000 IN BOOK 19, PAGE 48 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER
OF SAN LUIS OBISPO COUNTY, STATE OF CALIFORNIA.

A.P.N. 009-778-010

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
1401 Higuera Street
San Luis Obispo, CA 93401

A true and correct copy of the foregoing document entitled (*specify*): **MOTION TO COMPEL ABANDONMENT OF REAL PROPERTY COMMONLY KNOWN AS 774 OXEN STREET, PASO ROBLES, CALIFORNIA** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) May 6, 2019, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Jerry Namba (TR), Chapter 7 Trustee - jnambaepiq@earthlink.net,
jnamba@ecf.epiqsystems.com;jnamba@iq7technology.com
Edwin J Rambuski, Attorney for Debtor - edwin@rambuskilaw.com, marissa@rambuskilaw.com
Edward A Treder, Courtesy Notice - cdcaecf@bdfgroup.com
United States Trustee (ND) - ustregion16.nd.ecf@usdoj.gov

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) May 6, 2019, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

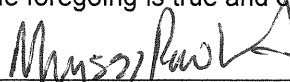
3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

May 6, 2019
Date

Marissa Rowland
Printed Name


Signature

Attachment to Proof of Service

Aderans Hair Goods
9135 Independence Ave.
Chatsworth, CA 91311-5903

(p)BANK OF AMERICA
PO BOX 982238
EL PASO TX 79998-2238

California Department of Tax and
Fee Administration
P.O. Box 942879
Sacramento, CA 94279-0001

Chase Card Services
P.O. Box 15298
Wilmington, DE 19850-5298

Chase Mortgage
700 Kansas Lane
Monroe, LA 71203-4774

Clear Recon Corp
4375 Jutland Drive
San Diego, CA 92117-3600

Franchise Tax Board
Bankruptcy Section, MS: A-340
P.O. Box 2952
Sacramento, CA 95812-2952

Home Depot Credit Services
P.O. Box 790328
Saint Louis, MO 63179-0328

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Karlis Baumerts
17397 Plaza Delores
San Diego, CA 92128-2254

Kohl's
P.O. Box 3043
Milwaukee, WI 53201-3043

Law Offices of Gary A. Bemis APC
3870 La Sierra Ave, Suite 239
Riverside, CA 92505-3528

MGR Capital, Inc.
864 Osos Street, Suite A
San Luis Obispo, CA 93401-2743

Mr. Cooper
P.O. Box 619094
Dallas, TX 75261-9094

Nationstar Mortgage LLC
8950 Cypress Waters Blvd.
Irving, TX 75063

Pacific Premier Bank
17901 Von Karman Avenue, Suite 1200
Irvine, CA 92614-5248

Square Capital
1455 Market Street, Suite 600
MSC 715
San Francisco, CA 94103-1332

Square Capital
29053 Network Place
Chicago, IL 60673-1290

Synter Resource Group
P.O. Box 63247
Charleston, SC 29419-3247

UPS
55 Glenlake Parkway NE
Atlanta, GA 30328-3474

Wilmer
P.O. Box 91047
Chicago, IL 60693-1047